

## **REMARKS**

### ***New Claims***

In the present Application, Claims 1-23 have been cancelled, and Claim 24-38 have been added. The original claims were cancelled and the new claims were added to expedite the prosecution of the present application while reserving the right to pursue the original claims (or similar claims) in future applications.

New Claims 24-27 are directed toward treating HIV infections with reduced amounts of reverse transcriptase and protease inhibitors in combination with an integrase inhibitor. Support for these claims can be found in the application, including, for example, page 23, lines 8-14; page 42, lines 19-23; and Figure 6. Support for these claim is also found in priority document 60/093,208, for example on page 1, 2nd full paragraph; and Figure 1.

New Claims 28-32 are directed toward treating HIV infections that are at least partially resistant to a reverse transcriptase inhibitor by administering the reverse transcriptase inhibitor and an integrase inhibitor. Support for these claims can be found in the application, including, for example, page 19, line 16 - page 20, line 7; Table 3; Table 4; and Table 6.

New Claims 33-38 are directed toward treating HIV infections that are at least partially resistant to a reverse transcriptase inhibitor by administering a protease inhibitor and an integrase inhibitor. Support for these claims can be found in the application, including, for example, page 19, line 16 - page 20, line 7; Table 3; and Table 5.

### ***Non-Prior Art References Cited in the Parent Application***

In order to expedite the prosecution of the present application, Applicants wish to address the repeated citation of certain non-prior art reference in parent application Serial Number 09/647,270. During the prosecution of the parent application, Examiner Travers cited five references in an Office Action dated August 27, 2002:

- 1) Robinson et al. (Antiviral Research; 39(2), 101-111; August 1998);
- 2) Farnet et al. (Antimicrobial Agents and Chemotherapy, 42(9), 2245-2253; Sep., 1998);
- 3) McDougal et al. (Antimicrobial Agents and Chemotherapy, 42(1), 140-146; Jan., 1998);
- 4) Deeks et al., (JAMA, 277(2), 145-153; Jan 1997); and
- 5) Starnes et al. (J. Biol. Chem., 262(3), 988-91; 1987).

In the Response filed December 27, 2002, Applicants asserted that three of the references (Robinson et al., Farnet et al., and McDougal et al.) were not properly cited by the Examiner as they were not prior art or could be sworn behind. In particular, Applicants noted that the

Robinson et al. reference was published August of 1998, which is after the filing date of both priority applications, which were filed March 27, 1998 and July 17, 1998. Applicants also noted that the Farnet reference was published September of 1998, which is also after the filing date of the two priority applications. Finally, Applicants noted that the McDougal reference was published two months before the earliest priority application, and therefore could be sworn behind.

In the Office Action mailed March 25, 2003, the Examiner again cited the same five references. The Examiner did not address Applicants contention that Robinson et al. and Farnet et al. were not prior art, and did not address Applicants assertion that McDougal et al. could be sworn behind.

***New Claims 24-27***

New Claims 24-27 are directed toward treating HIV infections with reduced amounts of reverse transcriptase and protease inhibitors in combination with an integrase inhibitor. These claims are fully supported by Provisional Application 60/093,208, filed July 17, 1998 (see, for example, page 1, 2nd full paragraph, and Figure 1). The Robinson et al. reference was published in August of 1998 and the Farnet et al. reference was published in September of 1998. As the date of these references are both after the after this July 17, 1998 priority date, neither reference qualifies as prior art against these claims.

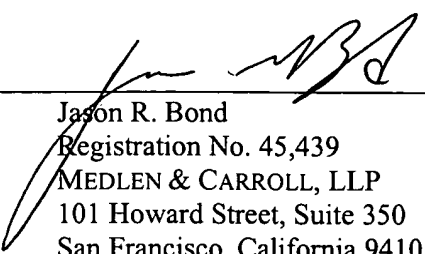
***New Claims 28-38***

New Claims 28-32 are directed toward treating HIV infections that are at least partially resistant to a reverse transcriptase inhibitor by administering the reverse transcriptase inhibitor and an integrase inhibitor, while Claims 33-38 are directed toward treating HIV infections that are at least partially resistant to a reverse transcriptase inhibitor by administering a protease inhibitor and an integrase inhibitor. Applicants note that none of the five references cited in the parent application discuss treating HIV infections that are at least partially reverse transcriptase inhibitor resistant.

**CONCLUSION**

If the Examiner wishes to discuss this case, Applicants encourage the Examiner to call the undersigned at 608-218-6900 at the Examiner's convenience.

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Jason R. Bond  
Registration No. 45,439  
MEDLEN & CARROLL, LLP  
101 Howard Street, Suite 350  
San Francisco, California 94105